

## **REGULAR SESSION    RUSH COUNTY BOARD OF COMMISSIONERS    OCTOBER 7, 2013**

The Rush County Board of Commissioners met in regular session, Monday, October 7, 2013 with Commissioners, Bruce Levi, Mark Bacon, Ken Masters, Mary Ann Beard, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Bruce Levi called the meeting to order Mark Bacon made the motion to approve the minutes of the regular meeting of September 23, 2013 as presented. . Ken Masters seconded the motion. Motion carried.

### **EMA**

Chuck Kemker, Rush County EMA Director presented a letter of intent of participation in Indiana Department of Homeland Security application for funding under the Pre-Disaster Mitigation Competitive Grant. Mark Bacon moved to sign the letter and Ken Masters seconded the motion. Motion Carried. Kemker invited those in attendance to the Preparedness Fair being held at the Amphitheater on Wednesday, October 9<sup>th</sup> from 2-7 p.m.

### **EXTENSION**

Kristi Amos, announced that Purdue will be hosting a webinar on Wednesday, October 9<sup>th</sup> from 11a.m.-1p.m. featuring Dr. Larry DeBoer. The topic is the tax influence on Government Funding. The program can be hosted live or archived for future presentation.

### **APC**

Area Plan Director, Kevin Tolloty appeared before the board to request a public hearing to review the petition submitted by Crop Production Services to amend the zoning maps of Rush County. Ken Masters made a motion to set that hearing on October 21<sup>st</sup> at 9:00a.m. Mr. Tolloty will be responsible for publishing the legal notice.

### **COUNTY BRIDGE INSPECTION**

Steve Jones of United Consulting Engineers presented Phase I of the 2013 Bridge Inspection. Matt Lee, Project Manager shared that the county is home to 194 bridges. Of those, 23 bridges require replacement and 10 are on the list for rehabilitation. Bridges #43 has been delegated to be a federal bridge project for which the county will be responsible for 20% of the estimated one million dollar cost of the bridge. If approved, construction would not commence before mid 2016.

### **HIGHWAY**

Superintendent Jerry Sitton submitted his monthly report for review. Sitton reported that he has received another \$38,000 in highway funds and has spent \$100,000 this summer on chipping and sealing roads. Sitton was questioned on the size of an intersection in Moscow and replied that it met the standard guidelines.

## **SHERIFF**

Sheriff Sherwood reported an inmate population of 44. The sheriff was granted permission to commence the hiring process to replace retiring Officer Duane Raab. Terry Drake will be named as the chief deputy upon Raab's retirement.

## **COMMISSIONER ITEMS**

Commissioner Levi met with DLZ Engineers to engage their services for a feasibility study of the Rush County Jail and to develop a plan for the future. The contract stipulates \$5,000 for the study and no more than \$500 for reimbursable travel which may be applied to the project if the county moves forward. Mark Bacon moved to proceed with the feasibility study. Ken Masters seconded the motion. Motion carried.

Bruce Levi received a letter asking the Commissioners to help identify a county coordinator from Rush County for the 2016 Indiana Bicentennial. Mr. Levi thought perhaps the Chamber of Commerce would be of some assistance.

Commissioner Mark Bacon announced that IDEM approved a confined animal feeding operation for Larry Alverson.

Mr. Levi inquired to the status of the billing of the County's liability and workmen's compensation insurance with Neace Lukens. Auditor Beard responded that an error was found in the June billing and we just received the corrected bill on October 3<sup>rd</sup>. The claim has been submitted for the next claim cycle.

Commissioner Levi along with County Councilmen Gerald Mohr and Marvin Hedrick met with Wellman Brothers roofing for an inspection of the courthouse roof. Many problems exist especially with the cooper flashing and the gutters.

Julie Jessup was appointed to the Fiber Optic Board to fill the vacancy of Tom Barnes for the remainder of the year. Mark Bacon made the motion for the appointment and Ken Masters seconded the motion. Motion carried.

## **LEGAL**

Wind Farms-County Attorney, Leigh Morning shared that there had been no communication from Nordex Wind Farms pertaining to the legal fees in conjunction with their project.

Tort Claim-Morning presented a Tort Claim filed by Justin Kerr which has been submitted to the County's insurance carrier. Justin Kerr has also applied for unemployment. He was initially denied, he appealed and was denied for untimely filing, and then reapplied with a new case number and was granted unemployment. The question at hand is; do the Commissioners want to appeal this ruling? Mr. Levi requested that the Public Defender join the meeting to assist in this decision.

## **AUDITOR**

- Bonds were signed for Traci Chandler, Diana Hoeing, and Peggy Stout.
- Ambulance run reports were received from Raleigh and RMH.
- Tax Sale Oct 17<sup>th</sup> with 80 properties offered for sale.

Claims were approved on a motion by Ken Masters and seconded by Mark Bacon. Payroll was approved when Mark Bacon initiated the motion. Ken Masters seconded it. Motion carried.

Commissioner Bruce Levi called for a ten minute recess to allow for the Public Defender to join the meeting. Mark Bacon moved to approve with Ken Masters seconding the motion.

Mr. Levi reconvened the meeting with Public Defender, Bryan Barrett present. Mr. Kerr was employed in the Public Defender's office. Mark Bacon made the motion to appeal the unemployment claim for Justin Kerr unless it is determined to be not legally practical to do so by Bryan Barrett and Leigh Morning by the deadline of October 11<sup>th</sup>. Ken Masters seconded the motion. Motion carried.

Ken Masters had a letter from FEMA in regard to levee monitors on the Flatrock River. Jerry Sitton informed the board that the City of Rushville pays half of that bill and the Rush County Highway Department pays the other half.

Motion to adjourn was received from Ken Masters. Mark Bacon seconded the motion. Motion carried.

/s/ Bruce Levi  
Bruce Levi, Chairman

/s/ Mark Bacon  
Mark Bacon

/s/ Ken Masters  
Ken Masters

ATTEST:

/s/ Mary Ann Beard  
Mary Ann Beard, Auditor